



Office of the Mayor | Bob Wasserman, Mayor

3300 Capitol Avenue, P.O. Box 5006, Fremont, CA 94537-5006

510 284-4011 *ph* | 510 284-4001 *fax* | www.fremont.gov

February 28, 2008

Mr. Bruce Wolfe
Executive Officer
San Francisco Bay Regional Water Quality Control Board
1515 Clay Street, Ste. 1400
Oakland, CA 94612

Subject: Tentative Order for the Municipal Regional Stormwater NPDES Permit

Dear Mr. Wolfe:

The City of Fremont supports the goal of improving water quality in the Bay Area. We are extremely concerned however, about the prescriptive requirements contained in the Tentative Order and believe this document needs major changes. The document does not consider the fiscal impact to local governments or the realities of municipal budgets. The greatly expanded requirements and lack of prioritization will result in jurisdictions diverting limited municipal resources to numerous tasks (e.g. overly detailed reporting) that provide only a minimal benefit to water quality. In addition, the Tentative Order does not provide local agencies any flexibility to cost-effectively meet stormwater quality goals.

The City of Fremont, along with other agencies, submitted detailed comments expressing our concerns on the two prior drafts of the Municipal Regional Permit. We are frustrated that despite extensive written comments, constructive alternate language proposals submitted by local agencies and numerous discussions between local agencies and your staff, our concerns still have not been addressed.

Fremont will provide specific permit comments in a separate letter. In addition to those comments, the City of Fremont requests that:

1. The public comment period for the Municipal Regional Permit be extended for an additional six months in order to address local agency concerns
2. You direct your staff to begin a good-faith dialogue with the local agencies to incorporate alternate permit language that reflects prioritized objectives and requirements that are cost effective, provide clear water quality benefit and are fundable at the local level

Fremont is committed to implementing meaningful measures to improve water quality in our community. Fiscal constraints and competing local needs (such as police and fire protection services) make it essential for local government to focus on prioritized objectives that cost-effectively protect stormwater quality. Incorporating permit language that addresses local agencies concerns will result in

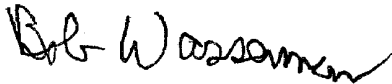


Mr. Bruce Wolfe
San Francisco Bay Regional Water Control Board
Comments on Tentative Order
Page 2 of 2

a permit that is endorsed and supported at the local level. This should result in a smoother public hearing process and the ultimate adoption of a new permit that meets our mutual goals.

Thank you for your consideration of this request. Please contact Kathy Cote, at (510) 494-4583, if you have any questions regarding the City of Fremont's comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Bob Wasserman". The signature is fluid and cursive, with the first name "Bob" and last name "Wasserman" clearly distinguishable.

Bob Wasserman
Mayor

cc: John Muller, Chair, San Francisco Bay Regional Water Quality Control Board
William Peacock, San Francisco Bay Regional Water Quality Control Board
Shalom Eliahu, San Francisco Bay Regional Water Quality Control Board
Terry Young, San Francisco Bay Regional Water Quality Control Board
Jim McGrath, San Francisco Bay Regional Water Quality Control Board
Thomas Mumley, Ass't. Exec. Director, San Francisco Bay Regional Water Quality Control Board